

REMARKS

Claim Rejections - 35 U.S.C. § 103

Claims 1-3, 5-7, and 27-32 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,363,421 issued to Barker et al. (*Barker*) and in view of U.S. Patent No. 6,065,053 issued to Nouri, et al. (*Nouri*). For at least the reasons set forth below, Applicant submits that claims 1-3, 5-7, and 27-32 are not rendered obvious by *Barker* in view of *Nouri*.

Claim 1 recites, in part, the following:

detecting an alert event on a client device;
forming a platform-independent alert packet representing the alert event;
transmitting the alert packet to an alert proxy external to the client device;
**receiving automatically a hardware-specific data control packet from
the alert proxy in response to the transmission of the alert packet**, the data
control packet comprising one or more specified control operations to be
performed on the client device;

Thus, Applicant claims a method comprising receiving automatically a hardware-specific data control packet from the alert proxy in response to the transmission of the alert packet. Claim 27 recites similar limitations.

The Office action cites *Barker* as teaching the limitations of claim 1 except that *Barker* does not teach or disclose determining whether execution of received control operations are permitted based on the operating state of the client device. Applicant agrees with the Office action that *Barker* does not disclose these limitations. Applicant further submits that *Barker* also fails to disclose receiving automatically a hardware-specific data control packet from the alert proxy in response to the transmission of the alert packet as claimed. The cited portion of *Barker* states that **events** are delivered to clients. See column 26, lines 12-21. In other words, clients receive event notifications. An event is an action or occurrence detected by a program. An event and/or event notification is **not** a hardware-specific data control packet. Thus, *Barker* does not

disclose receiving automatically a hardware-specific data control packet from the alert proxy in response to the transmission of the alert packet. Thus, Applicant respectfully submits that *Barker* fails to disclose at least one limitation recited in claims 1 and 27.

Nouri discusses a system to enable an administrator to control certain functions of the server from a remote station. See column 3, lines 45-53. The Office action cites *Nouri* as disclosing a micro controller network “fly by wire” capability to reset the system. Whether or not *Nouri* discloses the limitations cited in the Office action, *Nouri* does not teach or disclose receiving automatically a hardware-specific data control packet from the alert proxy in response to the transmission of the alert packet. Thus, *Nouri* fails to cure the deficiencies of *Barker*. Therefore, Applicant respectfully submits claims 1 and 27 are not obvious in view of *Barker* and further in view of *Nouri*.

Claims 2-3 and 5-7 depend from claim 1. Claims 28-32 depend from claim 27. Given that dependent claims necessarily include the limitations of the claims from which they depend, Applicant submits that claims 2-3, 5-7 and 28-32 are not rendered obvious by *Barker* and *Nouri* for at least the reasons set forth above.

Re: Response to Arguments

Applicant kindly notes that the Response to Arguments section of the Office action is an outdated response to arguments filed on November 8, 2004 rather than a response to the more recently filed arguments mailed on September 9, 2005.

Conclusion

In view of the amendments and remarks set forth above, Applicant submits claims 2-3, 5-7, and 27-32 are in condition for allowance and such action is respectfully solicited. The

Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Date: 4/10/06


Jared S. Engstrom
Reg. No. 58,330

12400 Wilshire Boulevard, Seventh Floor
Los Angeles, CA 90025-1026
(503) 439-8778

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